

EDP:WPC
F.#2018R00125

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

ANTHONY MURINO,

Defendant.

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APPLICATION

18 CR 64 (RJD)

BREON PEACE, United States Attorney for the Eastern District of New York, by William P. Campos, Assistant United States Attorney, applies to the Court for an Order dismissing, without prejudice, the above-captioned indictment, Criminal Docket No. 18-64, as to defendant ANTHONY MURINO, and hereby states the following:

1. On January 14, 2018, defendant ANTHONY MURINO was arraigned on a complaint (the “Complaint”) charging him with importation of a controlled substance in violation of 21 U.S.C. § 952. The Complaint alleged that on January 9, 2018, law enforcement agents intercepted a package containing fentanyl, a Schedule II controlled substance, which was shipped from China to Murino’s residence. The next day, January 10, 2018, law enforcement agents sought and obtained a search warrant authorizing a search of Murino’s residence. On January 12, 2018, law enforcement agents arranged the delivery of the package containing fentanyl to Murino’s residence and he accepted the package. Law enforcement agents then executed the search warrant and arrested Murino, who stated in sum

and substance and in part that he ordered the fentanyl on the internet and had done so before. Murino was released from custody and the court imposed a bond for his release.

2. On January 14, 2018, immediately after the above-mentioned arraignment, Murino entered an in-patient, residential drug treatment facility for his drug addiction. Murino had previously sustained a work-related back injury in a profession which requires preparation for periodic acts of selfless service to the public. As a result of the injury, Murino initially took Vicodin and Oxycodone for pain management. He eventually became addicted to the pain medication. Murino then started using fentanyl.

3. On February 8, 2018, Murino was indicted on one count of Importation of Phenyl Fentanyl HC1, a Schedule I controlled substance, with intent to distribute, in violation of Title 21, United States Code, Sections 813, 952(a), 960(a)(1) and 960(b)(3). Murino was arraigned on the indictment on February 20, 2018.

4. On February 12, 2018, Murino successfully completed the in-patient, residential drug treatment program. He was referred to an intensive outpatient drug treatment program where he attended sessions five days per week until May 2, 2018. He then returned to work on a modified duty status and continued his drug treatment sessions on a weekly basis. Murino could have terminated his drug treatment in February 2019 but he chose to remain in treatment to strengthen his recovery. On November 5, 2020, Murino successfully completed and terminated his outpatient drug treatment.

5. The court admitted Murino into the Pretrial Opportunity Program ("POP") and on June 28, 2018, Murino participated in his first POP meeting with the U. S. District Judge, U.S. Magistrate Judge and Pretrial Services Officer. Murino successfully participated in the POP program without incident. After four years in drug treatment and

participation in the POP program, Murino successfully completed the POP program and graduated in January 2022.

6. Based on the above, the government requests that the indictment, Criminal Docket No. 18-64, be dismissed without prejudice as to defendant ANTHONY MURINO.

Dated: Brooklyn, New York
July 8, 2022

/s/William P. Campos
William P. Campos
Assistant U.S. Attorney
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